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Attorneys for Plaintiff  
Auto Auction of Montana

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA

In re:

INCREDIBLE AUTO SALES, LLC,

Debtor.

CASE NO. 06-60855

**LIMITED OBJECTION TO HYUNDAI  
MOTION TO MODIFY STAY**

**NOTICE OF HEARING**

**Date: December 5, 2006**

**Time: 10:00 a.m.**

**Location: 2<sup>nd</sup> Floor Courtroom  
Federal Building  
400 N. Main  
Butte, MT**

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AUTO AUCTION ASSOCIATES OF MONTANA, INC., D/B/A AUTO AUCTION OF MONTANA A/K/A AUTO AUCTION OF BILLINGS ("Auto Auction") enters this Limited Objection to Hyundai's Motion to Modify the Automatic Stay.

Hyundai Motor Finance Company ("HMFC") has filed a motion to

modify the automatic stay and seeks court approval to liquidate all inventory in order to apply the proceeds to its claim. As noted in HMFC's motion, there are numerous claims asserted against the Debtor's inventory, including claims asserted by Auto Auction. A contested proceeding is not the appropriate method to determine rights or interests in property, but those proceedings should be done in an adversary proceeding. Auto Auction has filed such a proceeding and HMFC has filed an answer and that is the appropriate proceeding to determine HMFC's rights to liquidate all inventory and apply the proceeds to its claims.

HMFC's motion should be denied to the extent it seeks Court approval of the ability to sell all inventory and apply the proceeds to its claim. HMFC should not be permitted to either liquidate or apply proceeds from the sale of any vehicles claimed by Auto Auction, Steve's Auto Sales or the South Seattle Auction. Those matters must be determined in the appropriate arena.

Wherefore, Auto Requests an order which:

1. Limits HMFC's relief and prevents it from liquidating any of the inventory claimed by Auto Auction and applying proceeds from such sales to its claim; and
2. Grants such other and further relief as the Court deems just and equitable.

DATED this 27<sup>th</sup> day of November, 2006.

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By: /S/ Bruce F. Fain  
Bruce F. Fain  
Attorneys for Plaintiff Auto  
Auction of Montana

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on this 27th day of November, 2006, a copy of the LIMITED OBJECTION TO HYUNDAI MOTION TO MODIFY STAY was served upon counsel of record by the following method:

1-5 CM/ECF  
\_\_\_\_\_ Hand Delivery  
6 Mail  
\_\_\_\_\_ Overnight Delivery Service  
\_\_\_\_\_ Fax  
\_\_\_\_\_ E-Mail

1. William L. Needler  
William L. Needler and Associates  
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2. Charles W. Hingle  
Shane P. Coleman  
P.O. Box 639  
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3. Neal Jensen  
U.S. Trustee  
Liberty Center, Ste. 204  
301 Central Ave.  
P.O. Box 3509  
Great Falls, MT 59403

4. James A. Patten  
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& Green, PLLC  
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5. Christopher Birkle  
P.O. Box 1415  
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6. Nick Gutierrez  
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/s/ Bruce F. Fain